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MS Appeal Brief-Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: May 30, 2007

Signature: 

(David K. Neff)

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afw
Docket No.: SONYJP 3.0-147
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Keiji Yuzawa

Application No.: 09/812,163

Filed: March 19, 2001

For: INFORMATION DISTRIBUTION SYSTEM,
INFORMATION RECEIVING APPARATUS,
INFORMATION LISTFORMING METHOD,
INFORMATION DELETING METHOD, AND
INFORMATIONSTORING METHOD

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Group Art Unit: 2154
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Examiner: J. Chang
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REPLY BRIEF

MS Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Reply Brief is responsive to the Examiner's Answer mailed April 6, 2007. The Examiner's Answer asserts that all appealed claims are rejected based on an assertion that Bedard, U.S. Patent No. 5,801,747 ("Bedard") teaches all of the steps of the method recited in claim 25 (and the elements of corresponding apparatus claim 35) except for "user selecting stored items including at least one of moving images or audio sound to be reproduced at a user-selected time." (Examiner's answer, paragraph 4). The Examiner's Answer (paragraph 5) asserts that the rejection of claims 30 and 40 is based on the same teachings of Bedard. The rejections of all other claims are based at least in part on the rejection of the independent claims 25, 30, 35 and 40. It is respectfully submitted that such assertions are in error.

Treating the steps of claim 25 individually, *Bedard* does not teach:

receiving said transmitted items containing content information and assigning access priorities to said received items.

The word "said" relates the term "transmitted items containing content information" back to the clause "transmitted items containing content information including at least one of moving images or audio sound." In the system described in *Bedard*, electronic program guide (EPG) information is manipulated to produce a viewer profile containing a list of the user's frequently viewed channels and programming categories. (col. 2, lns. 6-13; FIG. 2, col. 4, lns. 27-37). The user can then navigate up or down the list of his or her frequently viewed channels/programming categories and select from the list a live broadcast for receiving and viewing. (col. 7, lns. 19-27). *Bedard's* teachings are limited to the manipulation of EPG text data. *Bedard* does not seek to assign access priorities to received transmitted items that contain content information, i.e., items which include moving images or audio sound such as broadcast programs.

In addition, *Bedard* does not teach the recitations of claim 25:

selecting some of said received items containing content information on the basis of information representing said access priorities; and selectively storing said selected items in said user terminal.

Instead, *Bedard* merely teaches modifying a list of the user's frequently viewed channels. Nowhere does *Bedard* teach selectively storing at a user terminal transmitted items that contain content information including moving images and/or audio sound on the basis of access priorities.

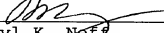
Similar recitations are found in each of the independent claims 25, 30, 35 and 40, which Appellant submits to be lacking in *Bedard* for the same reasons as discussed above and in Appellant's principal brief.

The Examiner's answer indicates that Alexander et al. (U.S. Patent No. 6,177,931) ("Alexander"), and Inoue et al. (U.S. Patent No. 6,185,360) ("Inoue") are cited merely as teaching "user selecting stored items including at least one of moving images or audio sound to be reproduced at a user-selected time." As indicated above, Alexander and Inoue fail to teach the elements which are lacking in *Bedard*.

For the reasons set forth above and for the reasons set forth in Appellant's principal brief, the rejection of Claims 25-28, 30-33, 35-38 and 40-43 on *Bedard* in combination with Alexander and Inoue should be reversed.

Dated: May 30, 2007

Respectfully submitted,

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